

Kershaw County Board of Zoning Appeals

515 Walnut Street, Room 160, Camden, SC 29020 803-425-7233



MINUTES

KERSHAW COUNTY BOARD OF ZONING APPEALS OCTOBER 4, 2011 REGULAR SESSION COUNCIL CHAMBERS, KERSHAW COUNTY GOVERNMENT CENTER CAMDEN, SOUTH CAROLINA

Members Present: Justin Conder, Bill Denton, Greg Newman, and Stephen Staley

Members Absent: A.J. Cooke

Staff Present: Carolyn Hammond and John Newman

CALL TO ORDER

The Chairman, Stephen Staley, called the meeting to order at 5:42 p.m.

PUBLIC HEARING, DISCUSSION, AND ACTION REGARDING CASE #11-02

The Chairman opened the public hearing and read the following public notice:

John Burns is requesting a variance on the shoreline buffer as required in Section 3:7.4 of the Kershaw County Unified Code of Zoning and Land Development Regulations. The property is located at 2164 Fort Trail, Camden, SC. TMS# 128-02-00-050.

John Newman explained that the Zoning and Land Development Regulations that went into effect in May of 2010 require a 50-foot shoreline buffer adjacent to Lake Wateree. The existing cabin is located within the shoreline buffer and the regulations allow the property owner to rebuild with the same amount of intrusions into the buffer. If a property owner needs to rebuild and go further into the buffer, a variance is necessary. Specific site constraints on the property are such that the proposed new cabin will have to protrude into the buffer more than the existing cabin. There is a power line right-of-way which would cause the house to be extremely narrow. If Mr. Burns rebuilds outside of the power line right-of-way and the buffer, his cabin would have to be 10-15 feet wide at the most. Other site constraints are low areas, the irregular shape of the lot, and the location of the neighbor's driveway. These site constraints, Newman said, are such that it would justify increased protrusion into the buffer. He recommended that the variance be granted under the condition that Mr. Burns install shrubbery and vegetation around the house to help filter runoff before it gets to the lake; and that he replace any existing trees that are removed or damaged during construction.

John Burns told the Board that the power line that runs over his cabin was built after the cabin was constructed. The power company has refused to move it. Prior to the shoreline buffer requirement, his only solution to the power line problem was to build his new cabin closer to the lake, but now the new 50-foot shoreline buffer prevents that. He said he looked at renovating the cabin, but its poor construction makes that impractical. Without the variance, the largest house he could build would be about 15 feet wide. Mr. Burns went on to say that the whole front yard is planted with centipede, flowers, and trees. Only the grass and shrubbery around the house will be disturbed during construction. The rest of the vegetation will remain as is, and if any tree is damaged, it will be replaced. The lake will be protected from runoff during construction by the existing grass and any necessary silt screens. After the cabin is finished, he will replace the shrubbery and grass around the house. He closed by saying that all these constraints make the property unique in the fact it can't be developed without a variance.

The Chairman closed the public hearing, and after a brief discussion, he called for a motion. Greg Newman moved to grant the variance request with the condition that any damaged trees

be replaced and that the proper vegetation to prevent erosion be installed around the cabin. Bill Denton seconded, and all voted in favor.

APPROVAL OF MINUTES

Stephen Staley motioned to approve the minutes of the September 6, 2011 meeting as amended to correct a typo. Bill Denton seconded, and all voted in favor of approval.

PLANNING OFFICIALS 3-HOUR CONTINUING EDUCATION TRAINING SESSION

John Newman reminded those who have not completed their 2011 CE training that the last training session of the year will be held at 5:15 p.m. on October 17th in Council chambers.

ADJOURNMENT

At 6:05 p.m., the Chairman called for a motion to adjourn. The motion was made by Bill Denton, seconded by Stephen Staley, and approval was unanimous.

Respectfully submitted,

Carolyn B. Hammond

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Secretary